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Filed: 03-06-12

Sponsored by: Bailes

First Reading: March 12, 2012

Second Reading: March 26, 2012

COUNCIL BILL NO. 2012- 072

GENERAL ORDINANCE NO. 5982

AN ORDINANCE

1
2 AMENDING Chapter 36, Article III of the Springfield City Code, known as the Land
3 Development Code, by repealing Sub-Article VI, Electrical Code, in its
4 entirety, and enacting in lieu thereof a new Sub-Article VI, Electrical Code.
5
6

7 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, MISSOURI, as
8 follows, that:
9

10 Section 1 – General Ordinance No. 5456 and General Ordinance No. 5626 are
11 hereby repealed.
12

13 Section 2 – Adoption of 2011 National Electrical Code. The City Council hereby
14 adopts NFPA 70, 2011 National Electrical Code, along with any and all errata as may
15 be discovered and published by the National Fire Protection Association, and all
16 referenced standards therein as if spelled out in this ordinance, save and except such
17 portions thereof as are hereinafter deleted, modified or amended. This Code shall be
18 designated as Sub-Article VI, Electrical Code, of Chapter 36, Article III of the Springfield
19 City Code. One (1) copy of said Code is on file in the office of the City Clerk, Busch
20 Municipal Building, 840 Boonville Avenue, Springfield, Missouri.
21

22 Section 3 – Deletions, modifications, amendments and additions.
23

24 NFPA 70, 2011 National Electrical Code (hereafter referred to as the NEC), as adopted,
25 is hereby amended and changed as follows:
26

27 A. Amend Article 90, Introduction, Section 90.4, Enforcement, by adding the following
28 paragraph:
29

30 **It shall be unlawful for any person to install or permit the installation of any**
31 **electrical wiring, equipment or apparatus within the corporate limits of the**

City of Springfield unless the same shall be installed to conform with the standards and provisions of the 2011 National Electrical Code, the latest approved edition of the Electrical Service Standards of City Utilities of Springfield, and all other applicable city codes and ordinances. In the event of a conflict between these documents the most stringent or restrictive shall govern, or an administrative interpretation may be made by the Director of Building Development Services to resolve such conflicts.

Note: Language appearing in **bold** is to be added.

B. Amend Article 100, Definitions, by adding the following definitions:

Service Repair. The repair or replacement of a device or element of the service with a new device or element of the service, provided the repair or replacement material is of the same size or ampacity as the original.

Service Upgrade. Any service work which cannot be defined as a service repair.

Note: Language appearing in **bold** is to be added.

C. Amend Article 210, Branch Circuits, Section 210.8, Ground-Fault Circuit-Interrupter Protection for Personnel, subsection (A)(2), as follows:

(2) Garages and also accessory buildings that have a floor located at or below grade level not intended as habitable rooms and limited to storage areas, work areas and areas of similar use.

Exception: The receptacle adjacent to and used solely for the purpose of providing power for the garage door opener does not have to be GFCI protected.

Note: Language appearing in **bold** is to be added.

D. Amend Article 210, Branch Circuits, Section 210.12, Ground-Fault Circuit-Interrupter Protection for Personnel, subsection (A), Dwelling Units, as follows:

(A) Dwelling Units. All 120-volt, single phase, 15- and 20-ampere branch circuits supplying outlets installed in a dwelling unit ~~family rooms, dining rooms, living rooms, parlors, libraries, dens, bedrooms, sunrooms, recreation rooms, closets, hallways, or similar rooms or areas~~ shall be protected by a listed arc-fault circuit interrupter combination-type, installed to provide protection of the branch circuit. (All fine print notes and exceptions shall remain as written.)

Note: Language appearing as ~~stricken~~ is to be removed.

78 E. Amend Article 210, Branch Circuits, Section 210.52 Dwelling Unit Receptacle
79 Outlets, subsection (G)(2), as follows:
80

81 (2) Where a portion of the basement is finished into one or more habitable
82 rooms, each separate unfinished portion shall have a receptacle outlet installed
83 in accordance with this section. **When interior walls for separate rooms are**
84 **framed, these areas shall be considered as finished areas and shall be**
85 **provided with the required branch circuits as required by Article 210, and**
86 **any required smoke detectors. All wiring shall be protected from physical**
87 **damage by the wall framing or the wall shall be covered with sheetrock**
88 **applied to at least one side of the wall.**
89

90 Note: Language appearing in **bold** is to be added.
91

92 F. Amend Article 230, Services, by adding a new subsection (F) to Section 230.2,
93 General, as follows:
94

95 **F. Residential Service Upgrades.**
96

97 (1) **In all structures used for residential purposes, a service upgrade or**
98 **modification shall mandate the following electrical system improvements.**
99

- 100 a. **GFI receptacles in the kitchen(s) and bathroom(s) shall be**
101 **installed if outlets are in existence at the time of the service**
102 **upgrade.**
103 b. **Approved hard-wired, dual-powered, interconnected smoke alarms**
104 **shall be installed and located as per the adopted building code.**
105 c. **The kitchen shall be provided with a minimum of two (grounded**
106 **small appliance branch circuits.**
107 d. **All apparent hazards shall be corrected.**
108

109 (2) **If a fire occurs, or other similar incident that damages any part of the**
110 **electrical system within a residential structure, in addition to all damaged**
111 **systems being repaired, it is mandated that all apparent hazards within the**
112 **structure be corrected. Hard-wired, dual-powered, interconnected smoke**
113 **detectors shall be installed and located as per the adopted building codes.**
114 **If the service portion of the electrical system is damaged or upgraded as a**
115 **result of a fire or other incident, it shall require that all items listed in**
116 **paragraph F(1) of this section shall be provided.**
117

118 (3) **A total or partial upgrade of the electrical system may be required, if in**
119 **the opinion of the Code Official, or his designee, the condition of the**
120 **existing electrical system constitutes a potential threat to the safety and**
121 **welfare of current or future occupants.**
122

123 Note: Language appearing in **bold** is to be added.

124 G. Amend Article 230, Services, Section 230.70, General, subsection (A)(1), as follows:
125

126 (1) Readily Accessible Location. The service disconnecting means shall be
127 installed at a readily accessible location either outside of a building or structure or
128 inside nearest the point of entrance to the service conductors. **The maximum**
129 **length of conduit between the meter back and service disconnect shall not**
130 **exceed 36 inches, unless authorized by the authority having jurisdiction**
131 **prior to installation.**
132

133 Note: Language appearing in **bold** is to be added.
134

135 H. Amend Article 230, Services, Section 230.72, Grouping of Disconnects, subsection
136 (A), as follows:
137

138 (A) General. The two to six disconnects as permitted in 230.71 shall be grouped.
139 Each disconnect shall be marked to indicate the load served. **The word**
140 **"grouped" shall be defined as being within two feet of each other and on**
141 **the same wall with no intervening obstructions which exceed eight inches**
142 **in depth from the wall surface, unless authorized by the authority having**
143 **jurisdiction prior to installation.** Each disconnect shall be marked to indicate
144 the load served.
145

146 (Editor's note: The exception listed under Article 230.72 (A) shall remain
147 unchanged.)
148

149 Note: Language appearing in **bold** is to be added.
150

- 151 I. Repeal Article 406, Receptacles, Cord Connectors, and Attachment Plugs (Caps),
152 Section 406.2, Definition, Child Care Facility, in its entirety.
153
- 154 J. Repeal Article 406, Receptacles, Cord Connectors, and Attachment Plugs (Caps),
155 Section 406.12, Tamper-Resistant Receptacles in Dwelling Units, in its entirety.
156
- 157 K. Repeal Article 406, Receptacles, Cord Connectors, and Attachment Plugs (Caps),
158 Section 406.13, Tamper-Resistant Receptacles in Guest Rooms and Guest Suites,
159 in its entirety.
160
- 161 L. Amend Article 406, Receptacles, Cord Connectors, and Attachment Plugs (Caps),
162 Section 406.14, Tamper-Resistant Receptacles in Child Care Facilities, as follows:
163

164 In all Child Care facilities, ~~all nonlocking-type, 125-volt, 15-20-ampere~~
165 ~~receptacles shall be listed tamper-resistant receptacles as defined in General~~
166 **Ordinance No. 3642 of the City of Springfield addressing Child Day Care,**
167 **Day Care Centers, Hourly Care Centers, Pre-schools, Nursery Schools, all**
168 **125-volt, 15- and 20-amp nonlocking-type receptacles shall be listed**
169 **tamper-resistant receptacles.**

Note: Language appearing in **bold** is to be added. Language appearing as ~~stricken~~ is to be removed.

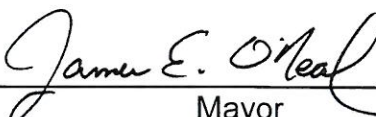
Section 4 – Savings Clause. Nothing in this ordinance shall be construed to affect any suit or proceeding now pending in any court or any rights acquired or liability incurred nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby, or shall any right or remedy of any character be lost, impaired, or affected by this ordinance.

Section 5 – Severability Clause. If any section, subsection, sentences, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Council hereby declares that it would have adopted the ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

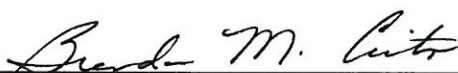
Section 6 – Penalty Clause. Any person violating any of the provisions of this ordinance, or fails to comply with any order issued pursuant to any section thereof, or who shall erect, construct, alter or repair a building, structure or system in violation of an approved plan or directive of the Code Official or of a permit or certificate issued under the provisions of these Codes, shall be guilty of a violation of a municipal ordinance and upon conviction thereof shall be punished as provided for in Section 1-7 of the City Code, except that any fine imposed shall not be less than Two Hundred Dollars (\$200) for the first offense, Four Hundred Dollars (\$400) for the second offense, and Five Hundred Dollars (\$500) for every offense thereafter. Each day that a violation continues, after a service of notice as provided for in these Codes, shall be deemed a separate offense. Notice as set forth in Section 36-1267 shall not be required in order to prosecute a person for a violation of any provision of this article or these Codes, except such notice shall be required to prosecute a person for failure to comply with an order.

Section 7 – This ordinance shall be in full force and effect from and after May 1, 2012.

Passed at meeting: March 26, 2012



Mayor

Attest: , City Clerk

Filed as Ordinance: March 26, 2012

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Approved as to form: Duke McDonald, Assistant City Attorney
Approved for Council action: Jim Burt, City Manager

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Affected Agency Notified: _____
Emergency Required: _____
Budget Adjust. Required _____
Board Rec. Required _____
Public Hearing: _____
Sponsor: _____
Date: _____

EXPLANATION TO COUNCIL BILL NO. 2012-072

ORIGINATING DEPARTMENT: BUILDING DEVELOPMENT SERVICES

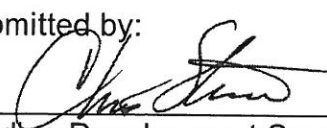
PURPOSE: To amend certain Sections of Chapter 36, Article III of the Springfield City Code known as the Land Development Code, to provide the City of Springfield with the most recent Electrical Code.

BACKGROUND AND REMARKS: The current electrical code enforced by the City is the 2005 National Electrical Code. With the adoption of the 2011 National Electrical Code, the City will be adopting the most up-to-date, nationally recognized electrical code. The provisions contained within this ordinance do not unnecessarily increase construction costs; do not restrict the use of new materials, productions, or methods of construction; and do not give preferential treatment to particular types or classes of materials, products, or methods of construction.

The Building Development Services Department has met with representatives of the local design and construction industry over the course of the past nine months to discuss the ramifications of adopting this new code. Comments were requested from designers, electricians, plumbers, mechanical contractors, gas fitters, general contractors, developers, and others that may be affected by the adoption of this code. The language of this ordinance was placed on the City website for review by the members of the Home Builders Association, Springfield Contractors Association, Missouri Society of Professional Engineers, the local chapter of the American Institute of Architects, and the Development Issues Input Group. Discussions with the Development Issues Input Group resulted in a consensus to move forward with the adoption of this code, provided a mechanism is put in place to allow the staff of Building Development Services to consider alternative design standards and practices beyond those described in the 2011 National Electrical Code.

This provision has been made as part of the compilation of the administrative chapters of the codes being adopted. The compilation is known as Article XII, Administrative and Enforcement of Codes, of the Land Development Code.

Submitted by:


Building Development Services

Approved by:


City Manager